

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – PR & RD Dept - Misappropriation of Government funds by the staff members in M.P. Ghattu, Mahabubnagar District – Sri V. Suresh Mohan, former E.O. (PR & RD) and I/c. MPDO., M.P. Ghattu - Charges framed - Enquiry conducted – Explanation submitted – Awarded punishment of stoppage of one annual grade increment without cumulative effect on the individual - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No. 1028

Dated:15-07-2009.

Read the following:-

1. From the CEO., Z.P., Mahabubnagar, Lr. No. A1/2681/97, dt. 26-7-97 addressed to the CPR & RE., A.P.,Hyd.
2. From the CPR & RE., A.P., Hyderabad, Charge Memo No.20823/CPR.I-2/97, dt. 25-10-1997.
3. From the CPR & RE., A.P., Hyderabad, Memo No.20823/DS.3/97, dt. 12-10-2001.
4. From the CPR & RE., A.P., Hyderabad, Charge Memo No.20823/VS.3/1997, dt. 27-10-2003.
5. From the CEO., Z.P., Mahabubnagar, Lr. No. A7/A1/2681/97, dt. 27-1-2006 addressed to the CPR & RE., A.P.,Hyd.
6. Judgment of the Judl. First Class Magistrate, Gadwal, dt. 6-10-2006 in CC,No.329/2000.
7. Judgment of the III Addl. District & Sessions Judge (FTC), Mahabubnagar, dt. 7-1-2008 in CrI. Appeal No.139/2006.
8. From Sri V. Suresh Mohan, I/c MPDO., M.P.,Ghattu, representation dt. 29-11-2008.

ORDER:

In the reference 1st read above, the Chief Executive Officer, Z.P., Mahabubnagar has reported that Sri Abdul Khaleel, Jr. Assistan has misappropriated Government money to a tune of Rs.33,00,898/- in connivance with the Mandal Parishad Development Officers, who worked from 1987 to 1997. In the reference 2nd read above, Commissioner of Panchayat Raj and Rural Employment,A.P., Hyderabad has framed charges against Sri V. Suresh Mohan, E.O. (PR & RD) and I/c. M.P.D.O., M.P. Ghattu, Mahabubnagar District and other M.P.D.Os. Subsequently the Commissioner of Panchayat Raj and Rural Employment, A.P., Hyderabad has issued revised charges, against the Delinquent Officer, vide reference 3rd read above. The Commissioner of Panchayat Raj and Rural Employment,A.P., Hyderabad has appointed the Chief Executive Officer, Z.P.,Mahabubnagar as Inquiring Authority to conduct inquiry against him, - vide reference 4th read above. In the reference 5th read above, the Inquiry Officer has conducted inquiry and submitted his report to the Commissioner of Panchayat Raj and Rural Employment

(P.T.O.)

2. Apart from the departmental action against the staff members of M.P. Ghattu, prosecution was also launched against Sri Abdul Khaleel, Jr. Assistant and MPDOs., concerned including Sri V.Suresh Mohan. The Hon'ble Judl. First Class Magistrate,,Gadwal in his Judgment dt. 6-10-2006 in C.C. No.329 of 2000, has acquitted all the MPDOs., while convicting Sri Abdul Khaleel, Jr.Asst., vide reference 6th read above. Aggrieved by the judgment of Judl. First Class Magistrate,,Gadwal, Gadwal, acquitting all the M.P.D.Os., MP Ghattu, the State has filed a Criminal Appeal No.139/2006 before the III Addl.District & Sessions Judge(FTC), Mahabubnagar. The Hon'ble III Addl. District & Sessions Judge Mahabubnagar in his judgment dt. 7-1-2008, has dismissed the said Criminal Appeal confirming the acquittal of all the M.P.D.Os., including Sri V. Suresh Mohan, -vide reference 7th read above. Sri V. Suresh Mohan, in his representation 8th read above, has requested to exonerate him from all the charges framed against him.

3. Government, after careful examination of the matter with reference to the charges framed against him, report of the Enquiry Officer and other material on record available, it is found that in the Criminal Case filed against Sri Abdul Khaleel, Jr. Assistant, Ghattu and the M.P.D.Os.,Ghattu involved in the misappropriation, the Judl. First Class Magistrate, Gadwal has pronounced his judgement on 6-10-2006 in C.C.No.329/2000 holding that Sri Abdul Khaleel, Jr. Assistant only was found guilty and sentenced him to undergo Simple Imprisonment for a period of one year and all other M.P.D.Os. were found not guilty. The III Addl. District and Sessions Judge, Mahabubnagar (FTC) by his common judgement dt. 7-1-2008 dismissed the Crl. Appeal No.39/2006, preferred by the State confirming the order of acquittal of other accused M.P.D.Os.,including Sri V. Suresh Mohan, I/c.MPDO. for the offences punishable under Sec. 409, 420, 477-A r/w. 120-B of I.P.C. and allowed the Crl. Appeal No.127/2006 by setting aside the order of conviction of Sri Abdul Khaleel, Jr. Assistant, passed by the Judl. First Class Magistrate, ,Gadwal in C.C. No.329/2000, dt. 6-10-2006. Since both the Judl. First Classl Magistrate Gadwal and III Addl. District and Sessions Judge, Mahabubnagar (FTC) held that the M.P.D.O. was not found guilty and the departmental enquiry conducted against him, the Enquiry Officer has opined that there is no proof of connivance with the prime accused i.e. Sri Abdul Khaleel, Jr. Asst. Government, therefore consider that it is suffice if a punishment of stoppage of one annual grade increment without cumulative effect is imposed on Sri V. Suresh Mohan, I/c MPDO., Ghattu for his slackness.

4. Accordingly, Government hereby impose the penalty of withholding of one annual grade increment without cumulative effect against Sri V. Suresh Mohan former, E.O. (PR&RD) and I/c MPDO.,MP.,Ghattu, Mahabubnagar District.

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5. The Commissioner of Panchayat Raj and Rural Employment, A.P., Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj and Rural Employment, A.P., Hydera
The individual through the Commissioner of Panchayat Raj and Rural
Employment, A.P., Hyderabad.

Copy to:

The Chief Executive Officer, Z.P., Mahabubnagar.
The District Collector, Mahabaubnagar.
The Accountant General, Andhra Pradesh, Hyderabad.
The District Treasury Officer, Mahabubnagar.
The Secretary to Vigilance Commissioner, A.P.V.C., Hyderabad.
SC/SF

//FORWARDED::BY ORDER//

SECTION OFFICER